IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELATE CIVIL JURISDICTION

WRIT PETITION NO.7220 OF 2004

Saraswati Mata Shikshan Prasarak Sanstha ..Petitioner

Vs.

The State of Maharashtra & Ors. ..Respondents

Mr.Girish Kulkarni, Adv. for Petitioner

Mr.C.R.Sonawane, A.G.P. for Respondent nos. 1 & 2
Mr. Uday P. Wamjikar for Respondent no.3.

CORAM: F.I. REBELLO &
S.P. KUKDAY, JJ.
DATE: 31ST JANUARY, 2005.

P.C.

. Rule.

. On behalf of respondent no.3 Shri Wamjikar learned Counsel makes a statement that he has not filed his Vakalatnama. Statement accepted. Vakalatnama be filed within two weeks from today.

(F.I.REBELLO,J.)

(S.P. KUKDAY,J.)

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. Rule. Heard forthwith.

2. The case of the petitioner is that he had applied for N.O.C. to the State Government, that was not granted within a time as set out. Reference is made to the Judgments of Apex Court in St. Johns Teachers Training Institute Vs. Regional Director, National Council for Teacher Education and another, 2003, Supreme Court Cases, at page 321 to contend that there is deemed N.O.C.

3. It is further submitted that one application

has been made to respondent no.3 before 31st December, 2004.

4. In the light of that respondent no.3 is directed to consider the application of petitioner to start D.Ed. College at village Behed, Tal: Sakri, District: Dhule for the academic year 2005-2006 within the period of six weeks from today. Rule made absolute accordingly. No order as to costs.

(F.I.REBELLO,J.)

(S.P. KUKDAY,J.)